

REGULATION V - AIR QUALITY STANDARDS AND AREA CLASSIFICATION

RULE 500

ATTAINMENT AREA CLASSIFICATION

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MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION V - AIR QUALITY STANDARDS AND AREA CLASSIFICATION
RULE 500
ATTAINMENT AREA CLASSIFICATION

SECTION 100 - GENERAL

- 101 **PURPOSE:** To set forth the criteria used to classify attainment areas and pollution standards for attainment areas.

SECTION 200 - DEFINITIONS (NOT APPLICABLE)

See Rule 100 (General Provisions And Definitions) of these rules for definitions of terms that are used but not specifically defined in this rule.

~~SECTION 200 - DEFINITIONS: For the purpose of this rule, the following definition shall apply:~~

- ~~201 **BASELINE CONCENTRATION:** With respect to a particular pollutant, the ambient concentration levels of that pollutant which exist at the time of the first application for a permit issued pursuant to Rule 210 of these rules in an attainment area based on State or County air quality data and on such monitoring data as the permit applicant is required to submit. Such ambient concentration levels shall take into account all projected emissions in, or which may affect, such area from any major source on which construction or a major alteration commenced prior to January 6, 1975, but which has not begun operation by the date of the baseline air quality concentration determination. Emissions of sulfur dioxide and particulate matter from any major source or as the result of any major alteration on which construction commenced after January 6, 1975, shall not be included in the baseline and shall be counted against the maximum allowable increases in pollutant concentration established under this rule.~~

SECTION 300 - STANDARDS

- 301 ~~**DESIGNATION AND CLASSIFICATION**~~ **CLASSIFICATION AND REDESIGNATION OF ATTAINMENT AREAS:** All attainment and unclassified areas or parts thereof shall be classified as either Class I, Class II or Class III.

- 301.1 **Class I Areas:** All of the following areas which were in existence on August 7, 1977, including any boundary changes to those areas which occurred subsequent to the date of enactment of the Clean Air Act Amendments of 1977 and before March 12, 1993, shall be Class I areas irrespective of attainment status and shall not be redesignated:

- a. International parks;
- b. National wilderness areas which exceed 5,000 acres in size;
- c. National parks which exceed 6,000 acres in size;
- d. National memorial parks which exceed 5,000 acres in size;

- 301.2 **Class I or Class II Areas:** ~~The following areas shall be designated only as Class I or II:~~

- a. The following areas shall be designated only as Class I or Class II:

- ~~a.~~ (1) An area, which, as of August 7, 1977, exceeds 10,000 acres in size and is a national monument, a national primitive area, a

national preserve, a national recreational area, a national wild and scenic river, a national wildlife refuge, or a national lakeshore or seashore.

b. (2) A national park or national wilderness area established after August 7, 1977, which exceeds 10,000 acres in size.

301.3 b. **Class II Areas:** All other areas, other than those areas described in subsection 301.2(a) of this rule, shall be Class II areas, unless redesignated under Subsections 301.4 or 301.5 subsection 301.3 of this rule or subsection 301.4 of this rule.

301.4 **301.3 Redesignation As Class I Area Or Class II Area:** The Control Officer may request the Governor or the Governor's designee to redesignate areas of the state as Class I or Class II, provided that the following requirements are fulfilled:

- a. At least 1 public hearing is held in or near the area affected;
- b. Other states, Indian governing bodies and Federal Land Managers, whose land may be affected by the proposed redesignation are notified at least 30 days prior to the public hearing.
- c. A discussion document of the reasons for the proposed redesignation including a description and analysis of health, environmental, economic, social and energy effects of the proposed redesignation is prepared by the Governor or the Governor's designee. The discussion document shall be made available for public inspection at least 30 days prior to the hearing and the notice announcing the hearing shall contain appropriate notification of the availability of such discussion document.
- d. Prior to the issuance of notice respecting the redesignation of an area which includes any Federal lands, the Governor or the Governor's designee has provided written notice to the appropriate Federal Land Manager and afforded the Federal Land Manager adequate opportunity, not in excess of 60 days, to confer with the state respecting the redesignation and to submit written comments and recommendations. The Governor or the Governor's designee shall publish a list of any inconsistency between such redesignation and such recommendations, together with the reasons for making such redesignation against the recommendation of the Federal Land Manager, if any Federal Land Manager has submitted written comments and recommendations.
- e. The redesignation is proposed after consultation with the elected leadership of local governments in the area covered by the proposed redesignation.
- f. The redesignation is submitted to the Administrator as a revision to the State Implementation Plan (SIP).
- g. A redesignation shall not be effective until approved by the Administrator of the Environmental Protection Agency (EPA), as part of an applicable implementation plan.
- h. Lands within the exterior boundaries of Indian reservations may be redesignated only by the appropriate Indian governing body.

301.5 **301.4 Redesignation As Class III Area:** The Control Officer may request the Governor or the Governor's designee to redesignate areas of the state as Class III if all of the following criteria are met:

- a. Such redesignation meets the requirements of Subsection 301.4 subsection 301.3 of this rule.
- b. Such redesignation has been approved after consultation with the appropriate committee of the legislature if it is in session or with the leadership of the legislature if it is not in session.

- c. The general purpose units of local government representing a majority of the residents of the area to be redesignated concur in the redesignation.
- d. Such redesignation shall not cause, or contribute to, concentration of any air pollutant which exceeds any maximum allowable increase or maximum allowable concentration permitted under the classification of any area.
- e. For any new major source, as defined in Rule 240, Section 210 of these rules, or for a major modification of such source which may be permitted to be constructed and operated only if the area in question is redesignated as Class III, any permit application or related materials shall be made available for public inspection prior to a public hearing.
- f. The redesignation is submitted to the Administrator as a revision to the SIP.
- g. A redesignation shall not be effective until approved by the Administrator of EPA, as part of an applicable implementation plan.
- h. Lands within the exterior boundaries of Indian reservations may be redesignated only by the appropriate Indian governing body.

~~301.6 A redesignation shall not be effective until approved by the Administrator as part of an applicable implementation plan.~~

~~301.7 Lands within the exterior boundaries of Indian reservations may be redesignated only by the appropriate Indian governing body.~~

302 LIMITATION OF POLLUTANTS IN CLASSIFIED ATTAINMENT AREAS:

- 302.1** Areas designated in Class I, II or III shall be limited to the following increases in air pollutant concentrations occurring over the baseline concentration, provided that for any period other than an annual period, the applicable maximum allowable increase may be exceeded once per year at any 1 location:

POLLUTION INCREASE LIMITS IN ATTAINMENT AREAS	
	Maximum Allowable Increase (micrograms per cubic meter)
CLASS I	
<u>Particulate matter - PM₁₀:</u>	
Annual arithmetic mean	4
24-hour maximum	8
<u>Sulfur dioxide:</u>	
Annual arithmetic mean	2
24-hour maximum	5
3-hour maximum	25
<u>Nitrogen dioxide:</u>	
Annual arithmetic mean	2.5
CLASS II	
<u>Particulate matter - PM₁₀:</u>	
Annual arithmetic mean	17
24-hour maximum	30
<u>Sulfur dioxide:</u>	
Annual arithmetic mean	20
24-hour maximum	91
3-hour maximum	512
<u>Nitrogen dioxide:</u>	
Annual arithmetic mean	25

CLASS III

Particulate matter - PM₁₀:

Annual arithmetic mean	34
24-hour maximum	60

Sulfur dioxide:

Annual arithmetic mean	40
24-hour maximum	182
3-hour maximum	700

Nitrogen dioxide:

Annual arithmetic mean	50
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302.2 The baseline concentration shall be that ambient concentration level which exists in the baseline area at the time of the applicable minor source baseline date.

- a. The major source baseline date is:
 - (1) January 6, 1975, for sulfur dioxide and particulate matter; and
 - (2) February 8, 1988, for nitrogen dioxide.
- b. The minor source baseline date shall be the earliest date after August 7, 1977, for sulfur dioxide and particulate matter, and February 8, 1988, for nitrogen dioxide, that either:
 - (1) A major source as defined in Rule 240, Section 210 of these rules or a major modification submits a complete permit application to the Administrator under 40 CFR 52.21; or
 - (2) A major source as defined in Rule 240, Section 210 of these rules or a major modification submits a complete permit application to the Control Officer under Rules 200, 210, 240, 245, and 270 of these rules.
- c. A baseline concentration shall be determined for each pollutant for which there is a minor source baseline date and shall include both:
 - (1) The actual emissions representative of sources in existence on the minor source baseline date, except as provided in subsection 302.2(d) of this rule; and
 - (2) The allowable emissions of major sources as defined in Rule 240, Section 210 of these rules, which commenced construction before the major source baseline date, but were not in operation by the applicable minor source baseline date.
- d. The following shall not be included in the baseline concentration and shall affect the applicable maximum allowable increase:
 - (1) Actual emissions from any major source as defined in Rule 240, Section 210 of these rules on which construction commenced after the major source baseline date; and
 - (2) Actual emissions increases and decreases at any stationary source occurring after the minor source baseline date.

302.3 The baseline date shall be established for each pollutant for which maximum allowable increases or other equivalent measures have been established if both:

- a. The area in which the proposed source or modification would construct is designated as attainment or unclassifiable for the pollutant on the date of its complete application under either subsections 302.2(b)(1) or 302.2(b)(2) of this rule; and
- b. In the case of a major source as defined in Rule 240, Section 210 of these rules, the pollutant would be emitted in significant amounts, or in the case of a major modification, there would be a significant net emissions increase of the pollutant.

- 302.4** The baseline area shall be any area, with any intrastate area designated as attainment or unclassifiable, in which the major source as defined in Rule 240, Section 210 of these rules or a major modification establishing the minor source baseline date would construct or would have an air quality impact equal to or greater than 1 ug/m³ (annual average) of the pollutant for which the minor source baseline date is established. Area redesignation under Section 301 of this rule cannot intersect nor be smaller than the area of impact of any new major source as defined in Rule 240, Section 210 of these rules or a major modification which either:
- a. Establishes a minor source baseline date; or
 - b. Is subject to either 40 CFR 52.21 or [Rule 240, Section 306 Rule 240, Section 308 of these rules](#) and would be constructed in Arizona.
- 302.5** The maximum allowable concentration of any air pollutant in any area to which subsection 302.1 of this rule applies shall not exceed a concentration for each pollutant equal to the concentration permitted under the Maricopa County Ambient Air Quality Standards contained in Rule 510 of these rules.
- 302.6** For the purposes of determining compliance with the maximum allowable increases in ambient concentrations of an air pollutant, the following concentrations of such pollutant shall not be taken into account:
- a. Concentration of such pollutant attributable to the increase in emissions from major and stationary sources which have converted from the use of petroleum products, or natural gas, or both, by reason of a natural gas curtailment order which is in effect under the provisions of Sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974, 15 U.S.C. 792, over the emissions from such sources before the effective date of such order;
 - b. The concentration of such pollutant attributable to the increase in emissions from major and stationary sources which have converted from using gas by reason of a natural gas curtailment plan in effect ~~pursuant to~~ under the Federal Power Act, 16 U.S.C. 792 - 825r, over the emissions from such sources before the effective date of the natural gas curtailment plan;
 - c. Concentrations of particulate matter attributable to the increase in emissions from construction or other temporary activities of a new or altered source;
 - d. The increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration; and
 - e. Concentrations attributable to the temporary increase in emissions of sulfur dioxide, nitrogen oxides or particulate matter from major sources as defined in Rule 240, Section 210 of these rules when the following conditions are met:
 - (1) The permit issued to such sources specifies the time period during which the temporary emissions increase of sulfur dioxide, nitrogen oxides or particulate matter would occur. Such time period shall not be renewable and shall not exceed two years unless a longer period is specifically approved by the Control Officer.
 - (2) No emissions increase shall be approved which would either:
 - (a) Impact any portion of any Class I area or any portion of any other area where an applicable incremental ambient standard is known to be violated in that portion; or

- (b) Cause or contribute to the violation of a state ambient air quality standard.
 - (3) The permit issued to such sources specifies that at the end of the time period described in subsection 302.6(e)(1) of this rule, the emissions levels from the sources would not exceed the levels occurring before the temporary emissions increase was approved.
- f. The exception granted with respect to increment consumption under subsections 302.6(a) and 302.6(b) of this rule shall not apply more than five years after the effective date of the order or natural gas curtailment plan on which the exception is based.

SECTION 400 - ADMINISTRATIVE REQUIREMENTS ~~(NOT INCLUDED)~~ (NOT APPLICABLE)